

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Second Chamber) of 8 July 2010 — Bergström v Commission

(Case F-64/06) ⁽¹⁾

(Staff case — Appointment — Members of the temporary staff appointed as officials — Candidates names included on a reserve list prior to the entry into force of the new Staff Regulations — Transitional rules on grading upon recruitment — Grading pursuant to the new less favourable rules — Article 5(4) and Article 12(3) of Annex XIII to the Staff Regulations)

(2010/C 234/99)

Language of the case: French

Parties

Applicant: Ragnar Bergström (Linkebeek, Belgium) (represented by: initially, T. Bontinck and J. Feld, lawyers, and, subsequently, T. Bontinck and S. Woog, lawyers)

Defendant: European Commission (represented by: J. Currall and H. Krämer, agents)

Intervener in support of the defendant: Council of the European Union (represented by: M. Arpio Santacruz and I. Šulce, agents)

Re:

Application for annulment of the decision of the Appointing Authority of 10 August 2005 by which the applicant, a member of the temporary staff who was successful in open competition COM/A/3/02, was appointed as an official in Grade A*6, step 2, in accordance with the provisions of Annex XIII to the Staff Regulations.

Operative part of the judgment

The Tribunal:

1. Dismisses the application.
2. Orders each party to bear its own costs.

⁽¹⁾ OJ C 165, 15.7.2006, p. 36.

Judgment of the Civil Service Tribunal (Second Chamber) of 8 July 2010 — Lesniak v Commission

(Case F-67/06) ⁽¹⁾

(Civil Service — Officials — Appointment — Temporary agents appointed as officials — Candidates placed on a reserve list prior to the entry into force of the new Staff Regulations — Transitional rules governing classification in grade at the time of recruitment — Classification in grade pursuant to the new, less favourable rules — Article 5(4) and Article 12(3) of Annex XIII to the Staff Regulations)

(2010/C 234/100)

Language of the case: French

Parties

Applicant: Christophe Lesniak (Brussels, Belgium) (represented by: S. Orlandi, A. Coolen, J.-N. Louis and E. Marchal, lawyers)

Defendant: European Commission (represented by: J. Currall and H. Krämer, Agents)

Intervener in support of the defendant: Council of the European Union (represented by: M. Simm and I. Šulce, Agents)

Re:

Annulment of the Commission decision of 8 August 2005 appointing the applicant — at that time a member of the temporary staff in grade A*10, step 2, and a successful candidate in External Competition PE/99/A — as a probationary official in grade A*6, step 2

Operative part of the judgment

The Tribunal:

1. Dismisses the action;
2. Orders the parties to bear their own respective costs.

⁽¹⁾ OJ C 178 of 29.07.06, p. 43.